

Before the Board of Zoning Adjustment, D. C.

Application #11164, of David C. Cox for variance from lot occupancy requirements of the R-3 District to permit open-air deck to rear of existing single family dwelling at 3918 Benton Street, N. W., Lot 85, Square 1811.

HEARING DATE: July 18, 1973

EXECUTIVE SESSION: July 24, 1973

FINDINGS OF FACT:

1. This application was originally filed with the Board of Zoning Adjustment May 16, 1972, it was initially scheduled for public hearing December 13, 1972 and ultimately heard July 18, 1973.
2. The property is located in a R-3 District.
3. The property is improved by a brick single family residential structure.
4. The proposed open-air deck would be elevated on steel columns to permit passage of an automobile and the continued operation of the existing garage in the rear.
5. At no time did applicant demonstrate any hardship as required by 8207.1 for relief in the form of a lot occupancy variance.
6. On July 18, 1973, at the Board of Zoning Adjustment hearing the applicant did not appear.
7. Applicant submitted to the Board a request for withdrawal of the application on July 2, 1973.
8. No opposition was registered

CONCLUSIONS OF LAW:

Based upon the above findings of fact the Board is of the conclusion that applicant has not demonstrated a hardship or that the denial of the addition as proposed would result in

exceptional and extraordinary conditions to this piece of property such as to constitute a hardship on the owner.

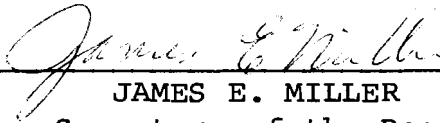
ORDERED:

That the above application should be DENIED.

VOTE: 4-0, with Lilla Burt Cummings, Esq. not voting.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

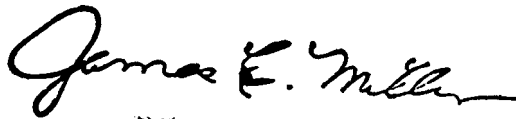
ATTESTED By: \_\_\_\_\_



JAMES E. MILLER

Secretary of the Board

FINAL DATE OF ORDER:



SEP 4 1960